

MINUTES
WOODSTOCK CITY COUNCIL
City Council Chambers
September 15, 2020

A regular meeting of the Woodstock City Council was called to order at 7:00 PM on Tuesday, September 15, 2020, by Deputy Mayor Turner in the Council Chambers at Woodstock City Hall. Deputy Mayor Turner noted this meeting of the Woodstock City Council is being held under the Governor's Emergency Declaration with Council members attending remotely and those attending at City Hall observing social distancing. Deputy Mayor Turner stated the meeting is being live-streamed, as is the City's policy. He explained the procedures to be used by the City Council, City Staff, and the Public to join today's meeting, including how to make comments and ask questions, and inviting all to participate. Deputy Mayor Turner explained the Consent Calendar.

A roll call was taken.

COUNCIL MEMBERS PRESENT: Deputy Mayor Michael Turner

COUNCIL MEMBERS ATTENDING REMOTELY: Darrin Flynn, Lisa Lohmeyer, Wendy Piersall, Jim Prindiville, Gordon Tebo and Mayor Sager.

COUNCIL ABSENT: None

STAFF PRESENT: City Manager Roscoe Stelford.

STAFF ATTENDING REMOTELY: Assistant City Manager/Finance Director Paul Christensen, City Attorney Ruth Schlossberg, IT Director Dan McElmeel, Public Works Director Jeff Van Landuyt, Economic Development Director Garrett Anderson, Building and Zoning Director Joe Napolitano, City Planner Darrell Moore, and Executive Assistant/Chief Deputy City Clerk Jane Howie.

OTHERS ATTENDING REMOTELY: Danielle Guilli, President, Woodstock Area Chamber of Commerce and Industry.

Deputy Mayor Turner noted the presence of a quorum under the revised rules of the Governor during this COVID-19 emergency and under safety guidelines by the Open Meetings Act. Chief Deputy City Clerk Howie confirmed the agenda before the Council is a true and correct copy of the published agenda.

III. FLOOR DISCUSSION

A. Public Comments

There were no comments forthcoming from the Public.

B. Council Comments

Deputy Mayor Turner stated that today is National IT Professionals Day; he recognized the City's IT Director Dan McElmeel and IT staff, and expressed his thanks and

appreciation for all the work that Mr. McElmeel and the City's IT Department has done, especially through these uncertain times during the COVID-19 pandemic.

IV. CONSENT AGENDA

Motion by G. Tebo, second by L. Lohmeyer to approve the Consent Agenda.

In response to a question from Deputy Mayor Turner, the following item was removed from the Consent Agenda by the City Council or the Public.

Item D-8 was removed by Councilwoman Piersall.

In response to a question from Deputy Mayor Turner, there were no questions or comments raised by members of the City Council or the Public on items on the Consent Agenda.

Deputy Mayor Turner affirmed the Consent Agenda to include items A through D-7, with the exception of item D-8, as follows:

A. MINUTES OF PREVIOUS MEETING
September 1, 2020 City Council Meeting

B. WARRANTS #3921 #3922

C. MINUTES AND REPORTS

1. Environmental Commission	February 6, 2020
2. Environmental Commission	March 5, 2020
3. Woodstock Public Library Trustees	March 12, 2020
4. Parks and Recreation Commission	March 10, 2020
5. Economic Development Commission	March 5, 2020
6. Economic Development Commission	May 1, 2020
7. Plan Commission Minutes	June 25, 2020
8. Plan Commission Minutes	July 23, 2020
9. Opera House Advisory Board Minutes	August 18, 2020

D. MANAGER'S REPORT NO. 164:

- 1. Contractual Services – Laserfische Contactless Open Enrollment Project –**
Authorization for the City Administration to utilize contractual services of \$9,625 for Civic Systems and \$11,200 for TKB Associates, along with any other necessary expenses not to exceed \$5,000 to design, program and implement a contactless open enrollment process in response to COVID-19.
- 2. Ordinance – Sign Variance – 11601 Catalpa Lane –** Approval of Ordinance 20-O-66, identified as Document #1, *An Ordinance Granting Variations from Section 13.8.2 (Permanent Ground Signs) to Allow a Permanent Ground Sign up to 100 Square Feet in Area and 18 feet in Height at 11601 Catalpa Lane.*

3. **Ordinance – FY19/20 Budget Amendments** – Approval of Ordinance 20-O-67, identified as Document #2, *An Ordinance Amending the Fiscal Year 2019-2020 Budget for the City of Woodstock, Illinois*.
4. **Award of Contract – Recreation Center Roof Replacement** – Authorization to award a contract to Freeport Industrial Roofing, Inc., Freeport, IL for the construction of a roof overlay w/beveled flute fillers and a 10-year labor and workmanship warranty at the Recreation Center for an amount not-to-exceed \$46,300.
5. **Award of Contract – Downtown Pavers** – Approval to award a contract for the 2020 Downtown Brick Paver Maintenance and Replacement Program to Nierman Landscape & Design of Woodstock, IL, based upon the bid unit prices to complete the downtown brick paver maintenance work for a total cost not-to-exceed \$26,700.
6. **Award of Contract – Salt Storage Building Demolition and Construction** – Authorization to award a contract to Greenfield Contractors LLC for an amount not-to-exceed \$61,500 for material, labor, and supplies necessary to construct a 40' x 64' Accu-Steel building for salt storage, and authorization to award a contract to Gavers Paving & Excavating, Woodstock, IL to demolish the existing dome and provide precast base blocks for the facility to constructed upon for a total cost not-to-exceed \$11,350.
7. **Award of Contract – Holiday Lights** - Approval of a contract for services to install, maintain, and remove holiday lights for the 2020 season to GRO Horticultural Enterprises, Inc., Union, IL for the draping of trees and ground bushes at a total price not-to-exceed \$30,765, and authorization to purchase from Windy City Lights, Inc., West Chicago, IL for clear and multi-color incandescent string lights at a cost not-to-exceed \$7,630; clear LED string lights at a cost not-to-exceed \$2,600; and C7 LED Bulbs and wire spools at a cost not-to-exceed \$4,177.

A roll call vote was taken. Ayes: D. Flynn, L. Lohmeyer, W. Piersall, J. Prindiville, G. Tebo, Deputy Mayor M. Turner, and Mayor B. Sager. Nays: none. Abstentions: none. Absentees: none. Motion carried.

DISCUSSION:

Councilwoman Piersall had questions about the food truck regulations, as presented. She opined, some information is not congruent with what Council had heard earlier this summer. One of the differences was the area in which notice should be given to restaurants, which changed from 150' to 250'. Councilwoman Piersall was also concerned with the limit of ten events per year for each vendor. She stated these regulations make the City of Woodstock one of the strictest communities in the area. She opined that these regulations will make it more difficult for food trucks to work in Woodstock.

Deputy Mayor Turner thanked Councilwoman Piersall for her comments and asked staff for their response to these concerns. City Manager Stelford asked Director Napolitano to explain the area increase to 250'. Mr. Napolitano explained that food trucks/vendors must obtain permission from a business if the truck wants to park in front of an establishment. The notification requirement

informs the surrounding business community when the truck will be present and its location. The regulation was changed to 250' so that more establishments could be informed. Mr. Napolitano explained that permission is only needed from an establishment when the food truck/vendor will be parked on their private property.

Councilwoman Piersall stated that Council is not in the business of regulating competition. In response to a question from Councilwoman Piersall, City Manager Stelford confirmed that these regulations do not include food trucks/vendors that are part of a community event and/or the Woodstock Farmer's Market. Mr. Stelford shared additional information pertaining to processes for having food trucks at community events and the Farmer's Market. He added that event organizers must come to the City for permission to hold an event, and meetings are held to discuss event details, which include the presence of vendors.

In response to questions from Councilman Flynn, City Manager Stelford explained that the 250' guideline is for notification to restaurants based on where the food truck would be located. Mr. Stelford also explained that community events that are organized by the Chamber of Commerce are handled the same as all other community events in the City.

Mayor Sager agreed that 250' is fine as it's a notification element that allows brick and mortar establishments to be advised of an upcoming food truck event. Mayor Sager provided a definition of community events vs. mixers, and he named several community events that would be excluded from this. Mayor Sager opined that ten events per year is a limiting number of events for food trucks. He agreed with the fees of \$50 for the first event and \$25 for events after that. However, he asked that the number of opportunities for events be increased and that some of the guidelines before them be a bit more flexible. Councilwoman Piersall agreed with Mayor Sager's suggestions.

Councilman Flynn agreed with raising the number of events to allow these businesses more opportunities, G. Tebo asked what the City's history has been with food trucks before COVID? Is this something new?

In response to several questions from Councilman Tebo, City Manager Stelford said that the City hasn't had a lot of food truck requests in the past, but since the COVID-19 pandemic, the requests have increased as several establishments are working in partnership with food trucks. Mr. Anderson added that, in the past, most food trucks have been involved in community events. It was noted that Catalent has brought food trucks in for their employees on several occasions during the lunch hour.

Mr. Napolitano mentioned that several new breweries are coming in with beer gardens; however, many of these establishments don't serve food, so they are partnering with food trucks. It was noted that the licenses go to the food truck, not to the establishment that hired them. Some local businesses may assist with the licensing process for the food truck, but it is the food truck that needs to get the license. Mr. Napolitano added that Your Sister's Tomato started their business as a food truck and added a brick and mortar restaurant just a couple of years ago. Their food truck has been to several places throughout town; however, they wouldn't need a separate permit because they have a brick and mortar restaurant. Councilman Tebo expressed his concern for

businesses having a limit on how many times they could have a food truck outside their business. In response, City Manager Stelford said each food truck event is for a 3-day period of time. He opined that a business such as Catalent would probably select several different food trucks.

Councilwoman Lohmeyer said she liked the increase to 250' of notification to establishments along with the increase in number of events allowed per year and the cap of how much the City would charge a food truck per year. Councilman Prindiville expressed his concerns about the idea of an employer having a food truck every day. He suggested that the City learn more about this trend and possibly revisit this topic in the future should it becomes an issue.

Mayor Sager appreciates the thoughts and comments from Council and Staff; however, he sees the need to move forward with this food truck license. He added that should a company approach the City with some other ideas, then we'll handle that when the questions arise. Mayor Sager opined that Council should amend the proposed Ordinances. He suggested a good place to start would be to cap the annual license fee to a maximum of \$300 with 24 events on an annual basis.

Deputy Mayor Turner said he agreed that this discussion is spot-on as Council is now more aware of the ideas and suggestions before them. He wants businesses to know that they can approach Council members and City staff should they have suggestions or concerns going forward. Deputy Mayor Turner wants to keep an eye on what happens with this process along with any effects this may have on our local restaurants. He opined that food trucks are more common in the summer months, but we do need to keep an eye on this and possibly revisit.

Deputy Mayor Turner asked if any members of the public had a question. Chamber of Commerce President Danielle Gulli opined this has been a positive conversation. There was some discussion about brick and mortar businesses that also have a food truck, and how permitting or permission would be granted. Staff confirmed that those businesses would not need to pay for a permit for their food truck. There was a bit of discussion about the need for food trucks to pay sales tax.

Deputy Mayor Turner thanked Ms. Gulli for her comments. In response to a question from Deputy Mayor Turner, City Manager Stelford said he would like brick and mortar establishments to apply for a permit, but no fees would be collected. City Manager Stelford explained the process of how these businesses apply and pay sales tax. It was noted that the Ordinance prohibits food trucks in neighborhoods unless there is a specific event, such as a block party. Ms. Gulli said she is comfortable with that. City Manager Stelford added that any time a food truck participates in a community event, that event does not count against this program.

Ryan Ortmann said he likes a few things that have been said this evening. He has owned a brick and mortar establishment in Woodstock for nine years. He added that his customers have requested that they have a food truck every Friday night in addition to their outdoor service, especially now with the limited occupancy inside. Mr. Ortmann asked if a food truck could notify the surrounding establishments within 250', in a single instance, providing dates when they'd be at a specific location or if they had to notify businesses every single time. In response, Mr. Napolitano said the application will specify dates of events, all of those dates can be incorporated within one single notification per location.

Deputy Mayor Turner clarified that the notification to establishments is just that, a notice. The food truck does not need permission from all the establishments, only from the establishment it is parked in front of.

In response to a question from Councilman Flynn, Mr. Anderson said Staff will provide a list of addresses for each mobile food truck vendor once the application is received, as well as going forward with new requests. Staff will also contact food truck vendors that are vending in town without a permit. Deputy Mayor Turner reiterated that the City is not doing this to regulate; this is being done to attract these businesses and expand opportunities for our residents.

In response to a question from Mr. Ortmann, Mayor Sager said that Mr. Ortmann can contact the City for permission to have outdoor events, as he has in the past. In response to Ms. Gulli's question, City Manager Stelford said it is the City's intent that all mobile food truck vendors, even if they have a brick and mortar establishment, apply for and receive a permit; however, they don't have to pay. Mayor Sager said a food truck vendor must obtain permission from an establishment prior to parking in front of it. However, Mayor Sager doesn't believe that brick and mortar business should require a license for their mobile food truck.

Ms. Gulli asked what would happen if a food truck had received permission for a specific event, and paid the fee, but then they were unable to make it to the event. This is something the City will have to figure out going forward. In response to additional questions, Mr. Stelford explained the provision that an establishment must extend permission to a food truck before they can park in front of them and that this Ordinance does not include food trucks that are part of a community event. Mr. Stelford specified that a mobile food truck must obtain permission from the establishment owner or property owner for parking in front of both public and private property.

Deputy Mayor Turner asked if there were any additional comments from the public, and any additional comments from City Council. Further discussion ensued.

Mayor Sager moved, second by Councilwoman Piersall to approve the following Ordinances as amended:

Approval of Ordinance 20-O-68, identified as Document #3, *"An Ordinance Amending Title 3, Chapter 6, of the Woodstock, Illinois City Code Relating to Temporary Vendors and Mobile Food Trucks,"* with the following amendments:

- N. 1.) "Mobile Food Truck Vendors locating on private or public property shall provide written permission from any business(es) or merchant(s) immediately adjacent to the area on which the mobile food truck will be located," and
- Q.) To read as, "The initial fee for a Mobile Food Truck Vendor's license is fifty dollars (\$50) for the first Occasion, as defined herein, and twenty-five dollars (\$25) for each subsequent Occasion to a maximum of \$300 annually. A Mobile Food Truck Vendor's license shall be valid for a single Occasion, and no applicant shall be issued more than thirty (30) licenses, unless otherwise approved by the City Council. Provided, however, that this fee and license requirement shall be

waived for any applicant having a brick and mortar restaurant or other licensed food service establishment operating in the City;" and

Approval of Ordinance 20-O-68, identified as Document #4, "*An Ordinance Amending Various Sections of the City of Woodstock, Illinois Unified Development Ordinance Relating to Mobile Kitchens.*"

M. Turner asked for comments from the public, or comments from Council.

In response to a question from Councilman Tebo, Deputy Mayor Turner said that because brick and mortar establishments do not need to apply for a Mobile Food Truck permit, the City may not be notified as to where and when these vehicles will be. Mayor Sager said he doesn't believe that it's necessary for the City to know about every birthday party and wedding that those trucks will be involved with; therefore, brick and mortar establishments should not be required to apply for food truck permits.

Deputy Mayor Turner thanked all for their comments.

Ayes: D. Flynn, L. Lohmeyer, W. Piersall, J. Prindiville, G. Tebo, Deputy Mayor M. Turner and Mayor B. Sager. Nays: none. Abstentions: none. Absentees: none. Motion carried as amended above.

V. FUTURE AGENDA ITEMS

There were no items added to the tentative future agendas.

VIII. ADJOURN

Motion by G. Tebo , second by J. Prindiville, to adjourn this regular meeting of the Woodstock City Council to the next City Council meeting to be held at 7:00 PM on Tuesday, October 6, 2020 in the Council Chambers at City Hall.

Ayes: D. Flynn, L. Lohmeyer, W. Piersall, J. Prindiville, G. Tebo, Deputy Mayor M. Turner, and Mayor B. Sager. Nays: none. Abstentions: none. Absentees: none. Motion carried.

The meeting was adjourned at 8:12 PM.

Respectfully submitted,

Jane Howie
Chief Deputy City Clerk